

DANIEL L. REINGANUM, ESQ.
MCDOWELL LAW, PC
46 W. MAIN STREET
MAPLE SHADE, NJ 08052
856-482-5544 / DANIELR@MCDOWELLLEGAL.COM
ATTORNEYS FOR CHAPTER 11 DEBTOR



Order Filed on September 14, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In the Matter of: : CASE NO. 21-13085-ABA


Choates G. Contracting, LLC :

Debtor :

SETTLEMENT AGREEMENT AND CONSENT ORDER RESOLVING CLAIM OF TURN-KEY
MANAGEMENT CORP.

The relief set forth on pages two (2) through three (3) that follow is hereby **ORDERED**.

DATED: September 14, 2022



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

This Settlement Agreement and Consent Order Resolving Claim of Turn-Key Management Corp. is entered into between:

Choates G. Contracting, LLC, represented by Daniel Reinganum, Esq. ('CGC'), and Turn-Key Management Corp. ('Turn-Key') represented by Brad Shuttleworth, Esq.

WHEREAS,

1. Turn-Key commenced a lawsuit against the Debtor prior to the commencement of the Chapter 11 case in the Superior Court of New Jersey, Camden County Special Civil Part, Docket No. CAM-DC-000616-21.
2. The Debtor filed the instant Chapter 11 case on April 15, 2021, but neglected to give Turn-Key or Turn-Key's counsel notice of same.
3. As of the commencement of the instant Chapter 11 case, Turn-Key had not yet obtained a judgment against the Debtor.
4. Unaware of the Chapter 11 case, and following a proof hearing, Turn-Key proceeded to obtain a judgment against the Debtor in the amount of \$8,370 plus costs of \$82.00.
5. Turn-Key subsequently had the judgment docketed under DJ-181541-2021 on December 7, 2021.
6. The Debtor has claimed that the Turn-Key judgment is void or voidable, and that it has defenses to the judgment.

WHEREFORE, THE PARTIES HAVE AGREED AS FOLLOWS:

1. Turn-Key shall consent to the sale of 122 Danton Lane, Mullica Hill, NJ free and clear of their docketed judgment (DJ-181541-2021).
2. Turn-Key's Docketed Judgment, DJ-181541-2012, recorded on December 7, 2021 is VOID as having been entered in violation of the automatic stay.
3. Turn-Key shall be permitted to file a late general unsecured proof of claim in the amount of \$6,700 which shall be deemed timely filed and entitled to payment as a general unsecured creditor pursuant to the terms of the Debtor's confirmed Chapter 11 Plan. The proof of claim must be filed by no later than December 31, 2022 in order to be eligible for payment. If

Turn-Key fails to file a proof of claim by December 31, 2022, Turn-Key be barred from filing a proof of claim and Turn-Key shall be treated as a creditor that received timely notice of the chapter 11 case.

4. Turn-Key did not willfully violate the automatic stay as it had no knowledge of the automatic stay.

5. On or before September 30, 2022, the Debtor shall file a motion for approval of this Settlement Agreement and Consent Order pursuant to Rule 9019 in the Bankruptcy Court.

6. The terms of this settlement and consent order are subject to approval by the United States Bankruptcy Court for the District of New Jersey. In the event that this Settlement Agreement and Consent Order is not approved by the bankruptcy court, the parties shall be returned to their original positions as if this Settlement and Agreement and Consent Order had never been entered into, **EXCEPT**, Turn-Key's consent to the sale of 122 Danton Lane free and clear of their docketed lien shall not be impacted by the non-approval of same.

I AGREE TO THE FORM AND ENTRY OF THE WITHIN CONSENT ORDER ON BEHALF
OF MY CLIENT

As to Choates G. Contracting, LLC

BY: 

Daniel L. Reinganum, Esq.

Attorney for Choates G. Contracting, LLC

DATE: 9-13-22

As to Turn-Key Management Corp.

BY: 

Brad Shuttleworth, Esq.

Attorney for Turn-Key Management Corp.

DATE: 9/13/22

In re:
Choates G. Contracting, LLC
Debtor

Case No. 21-13085-ABA
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Sep 14, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2022:

Recip ID	Recipient Name and Address
db	+ Choates G. Contracting, LLC, 122 Danton Lane, Mullica Hill, NJ 08062-4733
aty	+ Bradley K. Sclar, Five Greentree Centre, Suite 104, 525 Route 73 North, Marlton, NJ 08053-3422
aty	+ McDowell Law PC, 46 West Main Street, Maple Shade, NJ 08052-2432

TOTAL: 3

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 16, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 14, 2022 at the address(es) listed below:

Name	Email Address
Brad V Shuttleworth	on behalf of Unknown Role Type Turn-Key Management Corp. brad@shuttleworth-law.com
Daniel L Reinganum	on behalf of Plaintiff Choates G. Contracting LLC DanielR@McDowellLegal.com, tcuccuini@mcdowelllegal.com;Lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamis on@mcdowelllegal.com;cgetz@mcdowelllegal.com;reinganumdr62202@notify.bestcase.com
Daniel L Reinganum	on behalf of Debtor Choates G. Contracting LLC DanielR@McDowellLegal.com, tcuccuini@mcdowelllegal.com;Lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamis on@mcdowelllegal.com;cgetz@mcdowelllegal.com;reinganumdr62202@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: Sep 14, 2022

Form ID: pdf903

Total Noticed: 3

Douglas S. Stanger

doug.stanger@flastergreenberg.com diana.janansky@flastergreenberg.com,dss@trustesolutions.net,cdss11@trustesolutions.net

Jacqueline M. Vigilante

on behalf of Interested Party Scott E. Braidwood jacci@thevigilantelawfirm.com

Jeffrey M. Sponder

on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov jeffrey.m.sponder@usdoj.gov

Jessica Ann Berry

on behalf of Creditor BSI Financial Services as servicer for IRP Fund II Trust 2A bankruptcy@gmlaw.com

Kyle Francis Eingorn

on behalf of Interested Party COBA Inc. keingorn@dbblegal.com

Mark S. Haltzman

on behalf of Creditor Philly Properties GP LLC mhaltzman@sanddlawyers.com,
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

Mark S. Haltzman

on behalf of Creditor Drexel Properties GP LLC mhaltzman@sanddlawyers.com,
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

Pamela Elchert Thurmond

on behalf of Creditor LAW DEPT CITY OF PHILADELPHIA Pamela.Thurmond@phila.gov edelyne.jean-baptiste@phila.gov

Steven P. Kelly

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION skelly@sterneisenberg.com bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William Carl Katz

on behalf of Creditor Drexel Properties GP LLC wkatz@sanddlawyers.com,
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

William Carl Katz

on behalf of Creditor Philly Properties GP LLC wkatz@sanddlawyers.com,
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

TOTAL: 16